

AGENDA
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 – Lower Level - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, APRIL 12, 2006, 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBERS: Jason Kelley, Rami Talleh, Ron Santos, Ramona Kohlmann

MINUTES: None

ORAL COMMUNICATION: Anyone wishing to speak on an item not on the agenda may do so.
No action can be taken by the Zoning Administrator on items not on the agenda.

SCHEDULED ITEMS:

- 1. PETITION DOCUMENT:** **CONDITIONAL USE PERMIT NO. 05-20 (CINGULAR WIRELESS COMMUNICATION)**
- APPLICANT: MMI Titan, Inc.
REQUEST: To permit the installation of 12 panel antennas on an existing Edison tower at a height of 53 ft. and nine mechanical cabinets at the base of the tower within a 20 ft. by 20 ft. roofed enclosure.
LOCATION: 21261 Brookhurst Street (west side of Brookhurst Street, south of Atlanta Avenue)
PROJECT PLANNER: Jason Kelley
STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval
- 2. PETITION DOCUMENT:** **CONDITIONAL USE PERMIT NO. 05-36 (PRIANTOS RETAIL BUILDING)**
- APPLICANT: Braxton Dennis
REQUEST: To permit the construction of a 336 sq. ft. addition to an existing 4,032 sq. ft. commercial building and associated site and façade improvements.
LOCATION: 7351 Warner Avenue (northwest corner of Warner Avenue and Gothard Street)
PROJECT PLANNER: Rami Talleh
STAFF RECOMMENDS: Approval based upon suggested findings and conditions of approval

Under the provisions of the Huntington Beach Zoning and Subdivision Ordinance, the action taken by the Zoning Administrator is final unless an appeal is filed to the Planning Commission by you or by an interested party. Said appeal must be in writing and must set forth in detail the action and grounds by which the applicant or interested party deems himself aggrieved. Said appeal must be accompanied by a filing fee of One Thousand Two Hundred Eighty Seven Dollars (\$1287.00) if the appeal is filed by a single family dwelling property owner appealing the decision on his own property and One Thousand Five Hundred Sixty Nine Dollars (\$1569.00) if the appeal is filed by any other party. The appeal shall be submitted to the Secretary of the Planning Commission within ten (10) calendar days of the date of the Zoning Administrator's action or ten (10) working days for a coastal development permit.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Jason Kelley, Acting Associate Planner
DATE: April 12, 2006

SUBJECT: CONDITIONAL USE PERMIT NO. 05-20 (CINGULAR WIRELESS COMMUNICATION)

LOCATION: 21261 Brookhurst Street (west side of Brookhurst Street, south of Atlanta Avenue)

Applicant: MMI Titan, Inc., Danielle Brandenburg, Cingular Wireless, 12900 Park Plaza Drive, 3rd Floor, Cerritos, CA 90703

Property Owner: Southern California Edison, 2244 Walnut Grove Avenue, Rosemead, CA 92647

Request: To permit the installation of 12 panel antennas on an existing Edison tower at a height of 53 ft. and nine mechanical cabinets at the base of the tower within a 20 ft. by 20 ft. roofed enclosure.

Environmental Status: This request is covered by Categorical Exemption, Section 15303, Class 3, California Environmental Quality Act.

Zone:
RL (Low Density Residential)
Existing Use:
Gisler Park

General Plan:
P (Public)

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of the installation of a small new facility and structure and associated equipment.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-20

1. Conditional Use Permit No. 05-20 to install a wireless communications facility, consisting of 12 panel antennas attached to an existing Edison Tower at a height of 53 ft. and nine mechanical cabinets at the base of the tower located within a 20 ft by 20 ft. roofed enclosure will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed facility will not generate noise, traffic, demand for additional parking or other impacts detrimental to surrounding property.
2. The conditional use permit will be compatible with surrounding uses because the proposed facility will be located on and adjacent to existing Southern California Edison transmission towers, on an existing SCE right-of-way. The design of the facility, which features antennas painted to match the tower to which it is attached, and an equipment shelter constructed of stucco block and a tile roof, will ensure the compatibility of the proposed facility with the surrounding park use.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance including the provisions of HBZSO Section 230.94 – Wireless Communications Facilities.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of P (Public) on the subject property, pursuant to the provisions of the Huntington Beach Zoning and Subdivision Ordinance Section 230.96, which serves to implement the General Plan. In addition, it is consistent with the following goals and policies of the General Plan:
 - a. L.U. 2: Ensure that development is adequately served by transportation infrastructure, utility infrastructure and public services.
 - b. U. 5.1: Ensure that adequate natural gas, telecommunications and electrical systems are provided.
 - c. U. 5.1.1: Continue to work with service providers to maintain current levels of service and facilitate improved levels of service

The proposed facility will enhance wireless communications in the community by improving signal transmission and reception in the project vicinity. In addition, the proposed co-location of antennas with an existing transmission tower, and the use of compatible materials to screen the equipment cabinets, will minimize the project's visual impacts.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-02

1. The site plan, floor plans, and elevations received and dated February 2, 2006 shall be the conceptually approved design.
2. Graffiti shall be removed from the equipment enclosure within 24 hours of being reported.
3. The turf and landscaping shall be restored to its existing condition if damaged or altered during the course of construction.

4. The wireless company shall be responsible for any damage to existing conditions caused by maintenance of the site

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Rami Talleh, Associate Planner
DATE: April 12, 2006

SUBJECT: **CONDITIONAL USE PERMIT NO. 05-36 (PRIANTOS RETAIL BUILDING)**

LOCATION: 7351 Warner Avenue (northwest corner of Warner Avenue and Gothard Street)

Applicant: Braxton Dennis, 1326 E. 213th Street, Carson, CA 90745

Property Owner: Tony Priantos, 2900 W. Warner Avenue, Santa Ana, CA 92704

Request: To permit the construction of a 336 sq. ft. addition to an existing 4,032 sq. ft. commercial building and associated site and façade improvements.

Environmental Status: This request is covered by Categorical Exemption, Section 15301, Class 1, California Environmental Quality Act.

Zone:
CG (General Commercial)

General Plan:
CN-F1 (Neighborhood Commercial – 0.35 Floor Area Ratio)

Existing Use:
Retail Bakery

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project involves an addition of up to 50% of the existing floor area (not exceeding 10,000 sq. ft.). The site is provided with all utilities and facilities and is not located in an environmentally sensitive area.

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because the project involves an addition of up to 50% of the existing floor area (not exceeding 10,000 sq. ft.). The site is provided with all utilities and facilities and is not located in an environmentally sensitive area.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 05-36:

1. Conditional Use Permit No. 05-36 for the construction of a 336 sq. ft. addition to an existing 4,032 sq. ft. commercial building and associated site and façade improvements will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed addition will expand the existing retail unit to the north, into an existing loading area. The addition will replace existing loading activities with interior floor area thus reducing noise emanating from the subject site. Furthermore, the addition will not generate traffic, odor or other impacts at levels inconsistent with the commercial zoning applicable to the subject property.
2. The conditional use permit will be compatible with surrounding uses because the project is proposed on a commercially zoned property along Warner Avenue, a commercial corridor primarily developed with other commercial developments with similar characteristics including building layout, building height, and setbacks. Furthermore, the abutting residential uses to the west and north will be adequately screened and separated from the proposed building addition.
3. The proposed conditional use permit will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance including setbacks, maximum floor area ratio, building height, and parking.
4. The granting of the conditional use permit will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CN-F1 (Neighborhood Commercial – 0.35 FAR – Design Overlay). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

LU 10.1 Provide for the continuation of existing and the development of a diversity of retail and service commercial uses that are oriented to the needs of local residences, serve the surrounding region, serve visitors to the City, and capitalize on Huntington Beach's recreational resources.

LU 10.1.12 Require that Commercial General uses be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development including the consideration of incorporation of site landscape, particularly along street frontages and in parking lots.

ED 2.4.3 Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The application allows for the expansion and exterior remodel of an existing retail building. The project will provide retail space, which will expand the range of goods and services provided in the City. The design of the project will be compatible with other commercial buildings in the area and will provide adequate setbacks to residential uses to the west and north.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 05-36:

1. The site plan, floor plans, and elevations received and dated February 28, 2006 shall be the conceptually approved design with the following modifications:
 - a. The landscape planters located at the north end of the parking aisle parallel to Gothard Street shall be extended to the edge of the adjacent parking stalls.
 - b. A three-foot wide landscape planter shall be provided on both sides of the trash enclosure.
 - c. The perimeter walls shall be painted to match the main structure.
 - d. The driveway entrances shall have textured and colored pavement (behind sidewalk on private property) for a minimum depth of 10 feet.
2. Prior to submittal for building permits, the following shall be completed:
 - a. One set of project plans, revised pursuant to Condition of Approval No. 1, and 8 inch by 10 inch colored photographs of all colored renderings, elevations, and materials sample board shall be submitted for review, approval and inclusion in the entitlement file, to the Planning Department.
 - b. Zoning entitlement conditions of approval identified herein and code requirements shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. Prior to issuance of building permits for the addition and façade improvement, the nonconforming (rotating) sign shall be removed.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.